



Kentucky Council on Postsecondary Education

Ernie Fletcher
Governor

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Thomas D. Layzell
President

April 5, 2006

Mr. Edwin Orange
Director
Boards and Commissions
Capitol Building
Room 100
Frankfort, Kentucky 40601

Dear Mr. Orange:

I am writing in regard to the upcoming appointments to the Kentucky Community and Technical College System (KCTCS) Board of Regents. As required by KRS 164.321, the Council on Postsecondary Education requests that the Governor and the Governor's Postsecondary Education Nominating Committee strongly consider appointing an African American to the Board of Regents of KCTCS as vacancies become available in June 2006.

Kentucky continues to operate under an administrative finding from the U. S. Department of Education's Office for Civil Rights that the Commonwealth of Kentucky is not in compliance with Title VI of the 1964 Civil Rights Act and needs to eliminate the remaining vestiges of a former *de jure* segregated system of postsecondary education. Pursuant to that administrative finding, the Council on behalf of the Commonwealth, entered into a Partnership Agreement with the U.S. Department of Education to complete the final steps necessary to bring Kentucky into compliance with Title VI of the 1964 Civil Rights Act.

The Council's Committee on Equal Opportunities noted in its annual review of progress toward implementation of the objectives and commitments of the Kentucky Plan for Equal Opportunities and the Partnership Agreement that the KCTCS Board of Regents does not have representation from the African American community. The committee asked the Council to seek assistance from your office to address the oversight of the lack of racial minority representation on the KCTCS Board of Regents. KRS 164.321(3) requires the board membership of Eastern Kentucky University, Morehead State University, Murray State University, Western Kentucky University, Northern Kentucky University, Kentucky State University, and the Kentucky Community and Technical College System to reflect no less than proportional representation of the minority racial composition of the Commonwealth.

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Thank you in advance for your assistance in addressing this oversight. If you have any questions regarding this communication, please call me or Tom Layzell of the Council staff.

Sincerely,

Ronald Greenberg
Chair

Attachment

cc: The Honorable Ernie Fletcher, Governor, Commonwealth of Kentucky

**Statute Governing Appointments to Boards of Regents
EKU, KSU, MoSU, MuSU, NKU, WKU and KCTCS**
Chapter 164 State Universities and Colleges

164.321 Boards of Regents of Eastern Kentucky, Morehead State, Murray State, Western Kentucky, Kentucky State, Northern Kentucky Universities, and Kentucky Community and Technical College System; membership; terms

(3) The gubernatorial appointments may include one (1) graduate of the respective institution who resides outside the Commonwealth. Not more than two (2) appointed members of any board shall be residents of one (1) county. The appointments shall reflect the proportional representation of the two (2) leading political parties of the Commonwealth based on the state's voter registration. *Membership on the board shall reflect no less than proportional representation of the minority racial composition of the Commonwealth.* Membership on the board shall not be incompatible with any state office. A change in residency after the date of appointment shall not affect a member's ability to serve nor shall it prevent a member's eligibility for reappointment, except a member who assumes residency outside the fifty (50) United States shall become immediately ineligible to serve. The Council on Postsecondary Education shall notify the appointee of his or her ineligibility to serve.